

REMARKS

Claims 54, 57, 61, 62, 63, 64 and 65 were rejected under 35 U.S.C. 102(b) on the grounds of anticipation by Mariant et al. The Examiner asserted that Mariant et al. discloses an occlusive device comprising a vasoocclusive coil having a primary configuration with two dimensional J-shaped loops at the proximal and distal ends of the coil, with a radiopaque strand, and the Examiner referred to Figs. 1, 3 and 5 as showing such a primary coil configuration with two-dimensional J-shaped coils. At column 3, lines 7-8, Mariant et al. explains that the vasoocclusive device comprises a helical coil with a primary helical structure, and a secondary helical structure with two or more axes.

Figs. 1, 3 and 5 of Mariant et al. illustrate secondary loops of the coil about axes 102, 104, and it appears that the Examiner has referred to these secondary loops about the axes 102, 104 as showing two dimensional J-shaped loops at the proximal and distal ends of the coil. These loops about the axes 102, 104 are clearly features of the secondary helical structure of Mariant et al. As is explained at column 4, lines 29-50, the presence of at least two of these focal axes 102, 104 is central to the invention of Mariant et al., and the presence of these multiple focal axes 102 results in a three-dimensional configuration of the coils. This is not what is claimed.

Claim 54 recites "a vasoocclusive coil having a primary coil configuration formed about substantially a single axis with a two dimensional J-shaped loop at at least one end." The Examiner acknowledged that in Mariant et al. the secondary configuration of the coils is formed about multiple axes. However, the Examiner also asserted that the

primary coil configuration of Mariant et al. is formed about a substantially single axis, and that a two-dimensional J-loop will be seen at the end of any of the primary coil configurations, since the end of a coil ends in a J shape as a portion of the looping of the coil.

The clearest illustrations in Mariant et al. of the ends of the primary coil configurations appear to be shown in Figs. 16A and 16B of Mariant et al. An end view of the primary coil configuration is not shown in Mariant et al., but this clearly would be of a helical coil with a circular aspect. The Examiner referred to the secondary coil configurations of Figs. 1, 3 and 5 as showing the J-shaped coils of Mariant et al., and these show loops about axes which would correspond with a loop portion of a J-shape, connected to straighter segments of the secondary coil configurations which would correspond to the upright portion of a J-shape. In referring to a helical, circular aspect of a primary coil configuration as a J-shape, the Examiner is clearly equating a J-shape with a circular shape, which ignores a straighter, upright portion of a J-shape. It is respectfully submitted that Mariant et al. does not show, teach, disclose or suggest such a primary coil configuration as claimed, with a loop in a J-shape, which would have a straighter, upright portion.

It is respectfully submitted that the shape of the letter "J" is common knowledge, and that a circular aspect such as relied upon from Mariant et al. by the Examiner is not properly described as a J-shape. It is therefore respectfully submitted that Claims 54, 57, 61, 62, 63, 64 and 65 are novel and inventive over Mariant et al., and that the rejection of

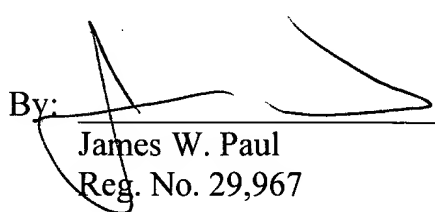
Claims 54, 57, 61, 62, 63, 64 and 65 on the grounds of anticipation by Mariant et al. should be withdrawn.

Claims 59 and 60 were rejected under 35 U.S.C. 103(a) on the grounds of obviousness from Mariant et al. in view of Wallace '329, which was cited as teaching a helical loop diameter of about 2 mm. Wallace '329 shows the same type of primary coil configuration as in Mariant et al., and it is respectfully submitted that Wallace '329 also does not teach, disclose or suggest a vasoocclusive coil having a primary coil configuration formed about substantially a single axis with a two dimensional J-shaped loop at at least one end, as is claimed. It is therefore respectfully submitted that Claims 59 and 60 are novel and inventive over Mariant et al. and Wallace '329, either separately or together, and that the rejection of Claims 59 and 60 on the grounds of obviousness from Mariant et al. in view of Wallace '329 should be withdrawn.

In light of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance, and an early favorable action in this regard is respectfully requested.

Respectfully submitted,

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